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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/821,832	03/30/2001	Thomas Tuschl	0399.2008-002	6240

23628 7590 12/07/2009
WOLF GREENFIELD & SACKS, P.C.
600 ATLANTIC AVENUE
BOSTON, MA 02210-2206

EXAMINER

WOLLENBERGER, LOUIS V

ART UNIT	PAPER NUMBER
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1635

MAIL DATE	DELIVERY MODE
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12/07/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of Non-Compliant Amendment

The Petition Decision mailed 9/3/2009 in the instant application stated correspondence to the United States Patent and Trademark Office (USPTO) in this application or resultant patent- must be signed by both: (1) a registered practitioner representing Max-Planck; and (2) a registered practitioner representing the interests of the other co-assignees. The Petition Decision further states "communications filed on or after the mailing date of this decision not signed in accordance with this decision must also be regarded as informal..." (page 3). Revocation of previous counsel and appointment of new counsel for Max-Planck was also granted as of the mail date of the decision.

In accordance with this decision, Applicant's response filed 9/9/2009 to the Non-Final Action mailed 3/9/3009 is regarded as informal under 37 CFR §1.33(b) because it has not been signed by a registered practitioner representing Max-Planck. Accordingly, the proposed reply, including proposed amendments to the claims, filed 9/9/2009, has not been entered. See MPEP 714.01(a).

Since the above mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Louis Wollenberger whose telephone number is (571)272-8144. The examiner can normally be reached on M-F, 8 am to 4:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tracy Vivlemore can be reached on (571)272-2914. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Louis Wollenberger/
Primary Examiner, Art Unit 1635
November 30, 2009